

**SELECTMEN'S MEETING MINUTES**  
**December 13, 2011**

Members Present: Larry Harrington, Chairman  
James J. DeVellis, Vice Chairman  
Mark Sullivan, Clerk  
Lorraine Brue  
Lynda Walsh

Others Present: Kevin Paicos, Town Manager

The meeting held at the Foxborough High School was brought to order at 7:15 p.m. by Larry Harrington, Chairman of the Board of Selectmen.

Chairman Harrington gave tentative dates for future meetings to be scheduled in order that all citizens of Foxborough would have the opportunity to express their concerns about the proposal for a casino to be built on Route 1 on land owned by the Kraft organization and to be leased to Wynn Resort Corporation. Brief comments were made about a meeting for December 18<sup>th</sup> when a more detailed proposal would be presented. He said there might be a series of meetings in order to accommodate those who might not be able to attend regularly scheduled BOS meetings. He apologized for moving this meeting to the High School on such short notice. Larry read the letter from Steve Wynn requesting that the public forum be scheduled for January 18, 2011.

Lorraine Brue disagreed with the meeting being postponed to January. She received a call and was told that an anti-casino sign had been stolen from someone's property. She said she is very concerned that people's property would be vandalized. She noted that two residents reported that the anti-casino signs were set on fire. She said the Board could decide tonight on whether to wait to receive the proposal. Lorraine pointed out that the Board needs to once and for all let the public now where the Board stands on this issue.

Lynda Walsh noted that this is the Holiday Season; she motioned that the Board resolves to hold a meeting for the public and applicant discussion to be held January 18, 2012 at which time representatives from the Wynn Resort Corporation and the Kraft Group will be able to answer residents' questions and concerns.

Lynda Walsh noted that the meeting tonight was intended to set up a place, date and time for a public meeting between the residents of Foxborough and the Wynn Resort folks to have a better understanding of developing a resort on Route 1. She said she would like to put this on hold until after the holidays and put this issue on the shelf until a formal proposal has been presented. Lynda said the Wynn and Kraft Group have stated they will not be able to attend

a meeting this month and therefore she feels there is nothing to discuss. She cautioned the other Board members to not state their opinion at this time because it might jeopardize a true vote and if presented to the Board it could be construed as a bias vote.

Jim DeVellis said he is concerned about the process; he asked why the Board is having a meeting to discuss having another meeting. He said as he understands the process since the gaming bill has just passed in Massachusetts, the first step is that the BOS receives an application and makes a decision on whether to enter into negotiations. He said the Board has that authority. If the Board were to decide to enter into negotiations the zoning would have to be revisited and presented at Town Meeting for a 2/3rds vote. If this should be successful, it should go to a ballot for a vote of 50%. He pointed out that it would then have to go to the Gaming Commission to grant a permit. Jim DeVellis said that after the Tuesday meeting, the BOS reached out to the Kraft/Wynn Group and asked that they attend a meeting in order to get community reaction and so that the BOS could hear what the concept of the casino proposal is. He said this has caused a deep divide in the community with opponents on one side and the less vocal proponents on the other. He said "fear is being expressed loud, often... and... locally" by the opponents and the supporters' position is that this is a great opportunity to grow the economy with jobs and income for the Town. He further explained the steps he has taken to address the concerns of the Town including answering innumerable phone calls and emails, he has met with State legislators to get their thoughts on casinos and gaming, he has met with business owners on Route 1, reached out to abutting towns and has read the reports and studies on the issues and their impact on communities that all ready have casinos. In summation, Jim said he is "confident that this town and our community with all our partners can figure out how to make it work without a casino project". He asked that the Board "not move forward with any more meetings to support gambling proposals in Foxborough..."

Mark Sullivan noted that everybody plays a part in the process and the way some people reacted at this meeting "saddens" him. He pointed out that the Board represents the Town and does it's best to listen to everyone and he wished that this proposal had never come before the Board. He pointed out that this is a regional situation because of the surrounding towns that are involved. He said the majority of people do not want this. On the other side, he pointed out that a lot of people are suffering due to the poor economy. He said he would like to put this aside until after the Holidays and to just move forward with civility because everybody needs to be heard. He said this should go to a ballot vote so that all Town voters could cast their vote.

Larry Harrington said the Board has heard loud and clear that many of the citizens in Foxborough do not want a casino. He said he, too, has received an overwhelming number of phone calls and emails. He has tried to answer every single one. He pointed out that this issue has divided the Town; it has put friends

against friends and that is very disturbing to him. He said many people want to hear what is being proposed and at least listen to what Wynn has to say. He feels they should have an opportunity to present a plan and then give the voters a chance to decide whether or not they want a casino in Foxborough. He feels it is unfair not to have a presentation. He said there would be a lot time between this date and January 18<sup>th</sup> to assess the issue. He said he would support a motion to schedule a meeting on January 18, 2011.

Kevin Paicos read a prepared statement. He explained the responsibilities of the Town Manager in that it is the Town Manager's position to give guidance to the Board in all matters. He said the Town should at least review the possibilities and make an attempt to analyze the advantages as well as the disadvantages. He spoke of the four steps that have to take place before any casino can be built in Foxborough – the application process, revised zoning, a vote by ballot and a final approval by the Gaming Commission. If any one of these steps does not happen there would not be a casino in Foxborough. He said considering what he has heard much of the opposition is based on moral grounds and the damage to the character of the Town outweighs the economic and financial benefits. Kevin pointed out the possibility that any one of the four steps could fail by Town vote and the project would fail. This would come after lengthy debates and expenditure of thousands of dollars not to mention the damage to the good community relationships. If the proposal should pass, those who are opposed would “feel disenfranchised from their own community.” Kevin Paicos said he would “urge the BOS to vote to notify Robert Kraft and Steven Wynn that the Town is no longer interested in receiving a casino proposal and that further action in that regard must terminate immediately.” He said this reflects his personal and professional belief that a casino is not a favorable proposal for the Town of Foxborough. He added that if the Board makes a decision to proceed with a review of this proposal, he would “endeavor to provide as thorough and impartial review as possible.”

A general discussion ensued regarding a date and a location for a future meeting.

Motion by Lynda Walsh to resolve to hold a meeting on January 18, 2012 for the public and the applicant to discuss the proposed resort and answer questions and concerns. Seconded by Lorraine Brue.

Mark Sullivan asked whether any consideration would be given to a non-binding referendum. He feels this would give an opportunity for the community to cast a vote “yea or nay” instead of going through the long process of hearing everybody speak. If this were to be held the first Monday in February people would have a clearer understanding of the proposal. Larry Harrington said he would like to see everybody in Foxborough respectively heard. After that public meeting it would clearly send a message to the Steve Wynn and Robert Kraft whether the community is in favor of a casino or not. He said to not give the people this opportunity is not fair.

Jim DeVellis said he understands the merits of allowing the presentation and then having a vote. He said this is something that has been over simplified and has taken months to prepare and basically drop it on to the BOS. He pointed out that this is something that is going to take months to prioritize and the Town is being asked to vote on one presentation without going through the process. If they had come in with a proposal, sent it out for bid and then come back with details, it would be easier to make a decision on whether the Town wants this or not. He said these things take months. Further discussion was held regarding scheduling a meeting for Saturday, Dec. 17<sup>th</sup> to determine whether the citizens want a casino or not, that date being too close to Christmas, the issue can wait until after the New Year or whether this issue could be resolved at this meeting. It was noted that a motion had been made for a meeting on Jan. 18, 2011.

**Vote: 3-2-0** – Lorraine Brue and Jim DeVellis opposed.

Motion by Mark Sullivan to hold a public meeting inviting the Wynn Resort Group and the Kraft Group on January 10, 2011 at the High School at 7:00 p.m. Seconded by Larry Harrington.

Lynda Walsh expressed concerns about whether the meeting would be for the BOS only or would all the people in Foxborough be heard. She feels that the Board has heard it all and if the Resort Group does not have a proposal to present, there would be nothing to talk about on the 10<sup>th</sup> of January. Larry Harrington said that the difference of eight days would not make much of a difference. He pointed out that on a positive vote on Mark's motion, he would instruct Kevin Paicos to notify the Kraft Group and the Wynn Resort Group that a meeting is to be held on January 10, 2012 whether or not they have the proposal ready. Jim DeVellis pointed out that any more hearings should give the BOS a good indication of the angst and hysterics surrounding this issue. He said he hears the anger and frustrations of the people over the effort by the applicant to put something in place where it does not belong. He said the zoning can be changed by petition and if that is the way they want to go then bring it before the Town; as the zoning stands now, this project has no merit. Lorraine Brue pointed out that at a meeting on 9/6/11 the Board voted to not accept an article to permit gambling in Foxborough. She said four members of the Board were not in favor of gambling because it would change the nature of the Town and when that decision was made they took into consideration the fact that the Planning Board has a history of being against the concept of gambling and acted accordingly. She said the Board has to do what the people want. She said there is no desire on her part to have any kind of gaming and that the Board needs to stop it here, tonight.

**Vote: 3-2-0** Lorraine Brue and Jim DeVellis opposed.

Larry Harrington asked the Town Manager to notify the Wynn Resort Group and the Kraft Group of the January 10<sup>th</sup> meeting.

Motion by Larry Harrington to go into Executive Session to review and release Executive Session Minutes and to exit Executive Session for the sole purpose of adjournment.

<b>Vote: 5-0-0</b>	Larry Harrington, Chairman	Yes
	Jim DeVellis, Vice Chairman	Yes
	Mark Sullivan, Clerk	Yes
	Lorraine Brue	Yes
	Lynda Walsh	Yes

A brief discussion was held.

Motion by Larry Harrington to exit Executive Session for the sole purpose of adjournment. Seconded by Mark Sullivan.

<b>Vote: 4-0-0</b>	Larry Harrington, Chairman	Yes
	Jim DeVellis, Vice Chairman	Yes
	Mark Sullivan, Clerk	Yes
	Lorraine Brue	Yes

Motion by Jim DeVellis to adjourn. Seconded by Mark Sullivan.

**Vote: 4-0-0** Meeting adjourned at 8:30 p.m.

---

Mark Sullivan, Clerk